

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

COMPLAINT OF CTC COMMUNICATIONS)
CORP. CONCERNING REFUSAL)
BY VERIZON MASSACHUSETTS TO)
PROVIDE UNBUNDLED NETWORK)
ELEMENTS AT TARIFFED RATES)

DTE NO. 04-87

**MOTION OF VERIZON MASSACHUSETTS
FOR RELIEF FROM TARIFFING REQUIREMENT**

Verizon New England Inc., d/b/a Verizon Massachusetts (“Verizon MA”) hereby moves the Department for relief from the directive contained in the Order on Motion for Reconsideration dated March 9, 2006 (“the Order”), at 19, that Verizon MA file tariffs for its “default arrangement for enterprise and four-lines-or-more UNE-P replacement services.” As grounds for this motion, Verizon MA states that as of today, only four CLECs make use of the replacement services at resale equivalent rates, and these carriers are cooperating with Verizon MA to migrate the few remaining replacement arrangements to resale or alternative services in the near future. Because the default arrangement applies today only to a *de minimus* number of former UNE-P arrangements and will soon be withdrawn entirely, there is no reason to require Verizon MA to tariff the resale equivalent rates assessed for these services.

Moreover, the tariffing requirement in the Order is based on a presumption that Verizon MA is offering the default arrangement “indiscriminately” to all comers and thus at common carriage. As set forth more fully in Verizon MA’s Motion for Reconsideration filed herewith, the facts cited above refute that presumption and demonstrate instead that Verizon MA’s replacement

services are temporarily available only to a few CLECs under highly specialized circumstances.


No tariffing is warranted here.

For the above reasons, the Department should enter an order relieving Verizon MA of any obligation to tariff its enterprise UNE-P replacement services and resale equivalent surcharge at issue in this proceeding.

Respectfully submitted,

VERIZON MASSACHUSETTS

By its attorneys,

A handwritten signature in dark ink, appearing to read 'Alex Moore', is written over a horizontal line.

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Dated: March 29, 2006